

May 4, 2017


TO: ALL CONCERNED
FROM:  Nolan P. Espinda, Director

SUBJECT: **AMENDMENTS TO COR.14.12: POST SECONDARY
PROGRAMS**

The following are the significant changes to COR.14.12, effective May 4, 2017:

- 1) In Section 2.0, changed Reference section to References and Forms, and renumbered subsequent sections.
- 2) Updated references to include relevant case law.
- 3) In Section 5.1.b, added subparts 1 through 3 regarding eligibility requirements for participation in a post secondary education program.
- 4) Modified numbering so that numbering is consistent and sequential.
- 5) Modified formatting so that it is consistent with other policies.
- 6) Other minor grammar changes.

If you require any clarification, please contact Shelley Nobriga at 808-587-1262 or shelley.d.nobriga@hawaii.gov. COR.14.12 is to take effect on May 4, 2017.

	DEPARTMENT OF PUBLIC SAFETY CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: May 4, 2017	POLICY NO.: COR.14.12
		SUPERSEDES (Policy No. & Date): COR.14.12 & 03/02/2009	
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1.0 PURPOSE

To establish procedures governing inmate participation in non-subsidized Post-Secondary Education Programs.

2.0 REFERENCES AND FORMS

.1 References

- a. Department of Public Safety (PSD), Policy and Procedures (P & P), COR.02.12, Inmate Trust Accounts.
- b. PSD, P & P, COR.14.09, Academic and Career and Technical Program Standards.
- c. PSD, P & P, COR.14.20, Academic/Career & Technical Program Mandates.
- d. Hawaii Revised Statutes (HRS) § 353-67, Education as Condition for Paroles.
- e. *Hernandez v. Johnston*, 833 F.2d 1316 (9th Cir. 1987).
- f. *Rhodes v. Chapman*, 452 U.S. 337 (1981).

3.0 DEFINITIONS

- .1 Correspondence Courses: Accredited courses developed by colleges and universities which are delivered through the US Postal Service to the student.
- .2 Distance Learning Courses: Accredited academic courses offered by colleges and universities.
- .3 HSE: High School Equivalency.
- .4 Non-Subsidized Programs: Academic programs in which the participant maintains full fiduciary responsibility for tuition, fees and books.
- .5 Online Instruction: Any formal education process in which the instruction occurs when the student receives instruction and/or education courses

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through the internet and/or the student and instructor are linked through the internet.

- .6 Post-Secondary Program: Academic programs leading to an Associate, Bachelor or Master's degree from an accredited institution of higher learning.

4.0 POLICY

Inmates who have met all requirements under COR.14.09 and/or in possession of a high school diploma, or high school equivalency, shall be provided the opportunity to participate in post-secondary correspondence programs, or blended education programs. Inmate participants shall be financially responsible for all tuition, fees, books and materials for all education programs under these categories.

5.0 PROCEDURES

- .1 Screening for Program Participation:
- a. The facility designated education program specialist shall review all program requests for post-secondary/correspondence programs to ensure that all requirements are or can be met.
 - b. The designated education program specialist shall interview each applicant to determine the applicant's eligibility for participation in the program.
 - 1) The inmate shall have a high school diploma, or high school equivalency in order to be eligible for participation in the program.
 - 2) The inmate shall meet the eligibility requirements of post-secondary program in which he/she intends to enroll.
 - 3) The inmate shall meet any eligibility requirements from the course provider.
 - c. In the case of correspondence courses, the designated education specialist shall forward applicant's request for approval to the Warden or designee, and the Chief of Security.
 - d. The designated education specialist shall forward all completed and approved applications to the designated facility representative for the

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release of funds as payment for tuition, books and fees, etc. Requests for payment from the inmate's account shall be made as outlined in P & P, COR.02.12.

- e. Tuition, books and other fees shall be paid directly to the college or university sponsoring the course.

.2 Program Access:

- a. A catalogue of available post-secondary courses, as well as course applications, shall be made available in each facility education center. Course applications shall be made available upon request by the inmate to the designated facility education program specialist.
- b. Distance Learning Courses, which are videotaped, shall be shown during the regular program time. Live interactive courses will be aired during the regular program time and may be saved for showing at other times.
- c. Inmates enrolled in correspondence courses shall be enrolled in the Post-Secondary Program, according to the procedures outlined in P & P, COR.14.09. Depending on the availability of space and resources, books, tapes, tools and equipment shall be secured in the education center.

6.0 SCOPE

This policy applies to all corrections education programs in the State of Hawaii.

APPROVAL RECOMMENDED:

 May 4, 2017
Deputy Director for Corrections Date

APPROVED:

 May 4, 2017
Director Date

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